

U. S. DEPARTMENT OF LABOR

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April 11, 2017

J.R. Riddell
Orrick, Herrington & Sutcliffe LLP
The Orrick Building
405 Howard Street
San Francisco, CA 94105

Re: *OFCCP v. Oracle, Inc.*, Case No. 2017-OFC-00006
Written Discovery Meet and Confer Letter

Dear Mr. Riddle:

This letter is in response to Oracle's incomplete April 5, 2017, meet and confer response. Your response is incomplete because it fails to address Oracle's production intent for 52 of the Secretary's 94 document production requests and fails to provide copies of orders that are not electronically available. To enable the parties to move forward, we are requesting that Oracle address these deficiencies by the close of business on Monday, April 17, 2017.

Oracle did not respond to the Secretary's request to identify whether it will be producing documents for 52 of the Secretary's document production requests. Oracle just made objections to 52 requests: Set #1: Nos. 8, 27-29; Set #2: Nos. 31, 33, 35-36, 38-40, 42-46, 48-51, 54, 57-61, 64-89. It is not clear whether Oracle did not locate responsive documents, Oracle will be producing responsive documents or Oracle is withholding all responsive documents based on a claim of privilege. Please identify Oracle's intent for these requests. To the extent Oracle is withholding documents on the basis of privilege, please produce a privilege log.

In its meet and confer correspondence, Oracle cites to cases that are not publically available for electronic retrieval. For example, in its April 5, 2017, letter, it cited to *OFCCP v. City Public Serv. of San Antonio*, *OFCCP v. Prudential Ins. Co.* and *OFCCP v. Volvo GM Heavy Trucks*. In its March 9, 2017, meet and confer letter, Oracle cited to *OFCCP v. Mississippi Power Co.* and to *OFCCP v. Am. Airlines, Inc.* None of these five cases are publically available for electronic retrieval, please provide them as you have insisted we should when citing such authority.

Please provide the information in response to the aforesaid 52 document production requests and copy of the five previously referenced cases by COB, Monday, April 17, 2017. Once we receive this information and cases, we can more fully respond to Oracle's meet and confer letter.

Thank you in advance for your anticipated cooperation,

Sincerely,

JANET M. HEROLD
Regional Solicitor

By: /s/ Norman E. Garcia
NORMAN E. GARCIA
Senior Trial Attorney